

§ 52.2528

Air Quality Standard (NAAQS) by the applicable attainment date of April 5, 2010. Therefore, EPA has met the requirement pursuant to CAA section 179(c) to determine, based on the area's air quality as of the attainment date, whether the area attained the standard. EPA also determined that the Martinsburg-Hagerstown, WV-MD PM_{2.5} nonattainment area is not subject to the consequences of failing to attain pursuant to section 179(d).

[76 FR 55544, Sept. 7, 2011, as amended at 76 FR 56643, Sept. 14, 2011; 76 FR 62641, Oct. 11, 2011; 76 FR 75467, Dec. 1, 2011; 77 FR 1414, Jan. 10, 2012]

§ 52.2528 Significant deterioration of air quality.

(a) The requirements of Sections 160 through 165 of the Clean Air Act are met since the plan includes approvable procedures for the Prevention of Significant Air Quality Deterioration.

(b) Regulations for Preventing Significant Deterioration of Air Quality, the provisions of § 52.21(p) (4), (5), (6), and (7) are hereby incorporated and made a part of the applicable state plan for the state of West Virginia.

[51 FR 12518, Apr. 11, 1986]

Applicable geographic area	Year	Tons per day (TPD) VOC	Tons per day (TPD) NO _x
Charleston Area (Kanawha and Putnam Counties)	2009	16.7	38.9
Charleston Area (Kanawha and Putnam Counties)	2018	13.5	17.1

(b) EPA approves the following revised 2009 and 2018 motor vehicle emissions budgets (MVEBs) for the Huntington, West Virginia 8-hour ozone

Applicable geographic area	Year	Tons per day (TPD) VOC	Tons per day (TPD) NO _x
Huntington Area (Cabell and Wayne Counties)	2009	7.4	14.0
Huntington Area (Cabell and Wayne Counties)	2018	6.6	13.5

(c) EPA approves the following revised 2009 and 2018 motor vehicle emissions budgets (MVEBs) for the Parkersburg, West Virginia 8-hour ozone main-

Applicable geographic area	Year	Tons per day (TPD) VOC	Tons per day (TPD) NO _x
Parkersburg Area (Wood County)	2009	5.5	7.3
Parkersburg Area (Wood County)	2018	4.7	7.3

40 CFR Ch. I (7–1–12 Edition)

§§ 52.2529–52.2530 [Reserved]

§ 52.2531 1990 base year emission inventory.

EPA approves as a revision to the West Virginia State Implementation Plan the 1990 base year emission inventories for the Greenbrier county ozone nonattainment area submitted by the Secretary, West Virginia Department of Commerce, Labor & Environmental Resources on December 22, 1992. These submittals consist of the 1990 base year point, area, non-road mobile, biogenic and on-road mobile source emission inventories in Greenbrier County for the following pollutants: Volatile organic compounds (VOC), carbon monoxide (CO), and oxides of nitrogen (NO_x).

[60 FR 39862, Aug. 4, 1995]

§ 52.2532 Motor vehicle emissions budgets.

(a) EPA approves the following revised 2009 and 2018 motor vehicle emissions budgets (MVEBs) for the Charleston, West Virginia 8-hour ozone maintenance area submitted by the Secretary of the Department of Environmental Protection on March 14, 2011:

maintenance area submitted by the Secretary of the Department of Environmental Protection on March 14, 2011:

Environmental Protection Agency

§ 52.2534

(d) EPA approves the following revised 2009 and 2018 motor vehicle emissions budgets (MVEBs) for the Weirton, West Virginia 8-hour ozone maintenance

area submitted by the Secretary of the Department of Environmental Protection on March 14, 2011:

Applicable geographic area	Year	Tons per day (TPD) VOC	Tons per day (TPD) NO _x
Weirton Area (Brooke and Hancock Counties)	2009	3.4	4.2
Weirton Area (Brooke and Hancock Counties)	2018	1.9	3.9

(e) EPA approves the following revised 2009 and 2018 motor vehicle emissions budgets (MVEBs) for the Wheeling, West Virginia 8-hour ozone main-

tenance area submitted by the Secretary of the Department of Environmental Protection on March 14, 2011:

Applicable geographic area	Year	Tons per day (TPD) VOC	Tons per day (TPD) NO _x
Wheeling Area (Marshall and Ohio Counties)	2009	10.4	9.1
Wheeling Area (Marshall and Ohio Counties)	2018	7.7	3.1

[76 FR 56981, Sept. 15, 2011, as amended at 76 FR 79540, Dec. 22, 2011]

§ 52.2533 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met, because the plan does not include approvable procedures for protection of visibility in mandatory Class I Federal areas.

(b) Regulation for visibility monitoring and new source review. The provisions of §§ 52.26 and 52.28 are hereby incorporated and made a part of the applicable plan for the State of West Virginia.

(c) *Long-term strategy.* The provisions of § 52.29 are hereby incorporated and made part of the applicable plan for the State of West Virginia.

(d) Limited approval of the Regional Haze Plan submitted by West Virginia on June 18, 2008; limited disapproval for those sections relying upon emission reductions from the Clean Air Interstate Rule (CAIR).

[50 FR 28553, July 12, 1985, as amended at 52 FR 45137, Nov. 24, 1987; 77 FR 16940, Mar. 23, 2012]

EFFECTIVE DATE NOTE: At 77 FR 33659, June 7, 2012, § 52.2533 was amended by revising paragraphs (a) and (d) and adding new paragraphs (e) and (f), effective Aug. 6, 2012. For the convenience of the user, the added and revised text is set forth as follows:

§ 52.2533 Visibility protection.

(a) *Reasonably Attributable Visibility Impairment.* The requirements of section 169A of the Clean Air Act are not met because the plan does not include approvable measures for meeting the requirements of 40 CFR 51.305, 51.306, and 51.307 for protection of visibility in mandatory Class I Federal areas.

* * * * *

(d) *Regional Haze.* The requirements of section 169A of the Clean Air Act are not met because the regional haze plan submitted by West Virginia on June 18, 2008, does not include fully approvable measures for meeting the requirements of 40 CFR 51.308(d)(3) and 51.308(e) with respect to emissions of NO_x and SO₂ from electric generating units. EPA has given limited approval and limited disapproval to the plan provisions addressing these requirements.

(e) *Measures Addressing Limited Disapproval Associated with NO_x.* The deficiencies associated with NO_x identified in EPA's limited disapproval of the regional haze plan submitted by West Virginia on June 18, 2008, are satisfied by § 52.2540.

(f) *Measures Addressing Limited Disapproval Associated with SO₂.* The deficiencies associated with SO₂ identified in EPA's limited disapproval of the regional haze plan submitted by West Virginia on June 18, 2008, are satisfied by § 52.2541.

§ 52.2534 Stack height review.

The State of West Virginia has declared to the satisfaction of EPA that